

APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW (LAKE EXCAVATIONS AND LAKE FILLING)

GENERAL INFORMATION

The following items must be submitted to the Zoning Hearings Section for review of a proposed Lake Excavation or Lake Fill. Additional submittals are required for Lake Fill applications – Please see below.

5 copies of application (attached)

5 sets of plans (including site plan and lake slope cross-section)

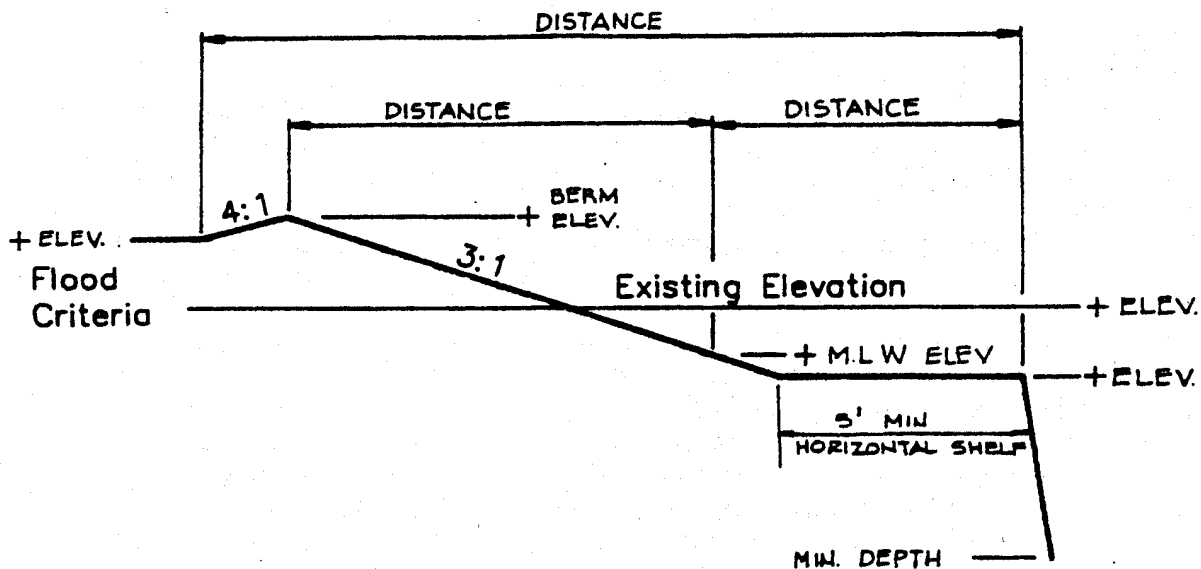
Note: The Lake Slope Cross Section must be part of the plan, not an attachment.

5 copies of legal description

Survey (Must be prepared by Registered Surveyor and must show the location of any municipal boundary on or across the property and must be dated no earlier than 1 year prior to the application date).

Fee (See fee schedule attached)

Please note that all plans must be signed and sealed by a Registered Florida Engineer or Surveyor. The site plan shall show the size of property, all dimensions (including the distance to the centerline of adjacent streets), and the proposed setback from the property lines to the top of the slope of the lake. Cross sections shall include the information as indicated below:



The plan will be reviewed by the Department of Planning and Zoning, The Public Works Department and The Department of Environmental Resources Management (DERM) for compliance with requirements of §33-16 of the Miami-Dade County Zoning Code. No more than one (1) slope may be approved through the ASPR process. Applicants will be notified of required revisions or corrections to the plan within 15 days from the date of submission. Revised plans, once received, will again be reviewed by all departments, and must be resubmitted in complete sets.

An appointment is required to submit the application when your site plan review application is complete and ready to submit. Please call the Zoning Hearings Section at **(305) 375-2640** and schedule an appointment to submit the ASPR application.

Public hearings will be required in all areas east of the salt barrier line. Applicants may choose to go to public hearing for lake excavation approval even if same is not required; provided, however, that if an unusual use is requested, applicants shall proceed in accordance with §33-13.

NOTE: EXPLOSIVES CANNOT BE USED DURING THE EXCAVATION OF THE LAKE.

STANDARDS AND REVIEW CRITERIA FOR LAKE FILL

Section 33-16.01. Administrative approval and permitting for filling of certain lake excavations and rock pits.

(I) Excavation Fill Plan Approval Required.

It shall be unlawful for any person to place fill into a lawfully existing lake excavation or rock pit without the prior written approval of the Director of an Excavation Fill Plan and a valid Excavation Fill Permit issued in accordance with the requirements set forth herein, except as such fill project may be approved at public hearing pursuant to Section 33-311 of this code. Such written approval shall expire within (i) eighteen (18) months from the date of the Director's administrative approval unless commencement of the fill project has occurred or (ii) upon abandonment of the fill project as defined in this Section.

Notwithstanding the provisions of Section 33-(e) of this Code pertaining to the filling of a lake excavation or rock pit, the Director shall consider and approve an application for a plan for the filling of a lawful existing lake excavation or rock pit ("excavation fill plan") when it is demonstrated that the application satisfies the requirements provided herein and does not contravene the standards or criteria set forth in Chapter 24 of this Code. It is provided, however, that nothing contained in this section shall preclude an applicant from applying for public hearing approval to fill an excavation or rock pit pursuant to Section 33-311 of this Code. In approving an application under this section in whole or in part, the Director shall impose such conditions as necessary and appropriate to minimize the risk to public safety, health and welfare.

A. For purposes of this section the following terms shall apply:

- (1) "fill project" shall include all aspects of the filling of a lake excavation or rock pit and all ancillary activity related to the filling, including but not limited to the transportation of fill to the excavation, the unloading, testing, sorting and removal from the excavation and application site of any fill material transported to the excavation that is not considered clean fill, the placement of the remaining clean fill into the excavation, and any required lake sloping;
- (2) "phased fill project" shall be defined as a fill project conducted in separate phases as approved by the Director, where the combined filling of all phases consists of no more than forty (40) gross acres of the area of the lake excavation or rock pit, measured waterward of the top of slope;
- (3) "commencement of the fill project" shall mean the date of original Certificate of Use issuance;
- (4) "abandonment of the fill project" shall mean a six-month suspension of filling activity as defined by the above term "fill project".

B. Excavation Fill Plan Application Requirements and Standards.

- (1) The application shall be for a fill project including a total of no more than forty (40) gross acres of the area of a lawful existing lake excavation or rock pit, measured waterward from the top of slope. No application shall be considered pursuant to this section for a fill project where the total acreage approved by the Director for a single lake excavation or rock pit would exceed forty (40) gross acres, whether approved in a single application or through multiple separate applications.
- (2) The application shall seek approval of a fill project that will require no more than three (3) years to complete.
- (3) The application shall not request approval to fill an excavation or rock pit regulated by a declaration of restrictive covenants that by its terms can be modified or eliminated only at public hearing.
- (4) No portion of the lake excavation or rock pit proposed to be filled shall be on a parcel of land located (a) east of the salt barrier line pursuant to Section 7-1(b) of this code, (b) outside the Urban Development Boundary of the adopted Miami-Dade Comprehensive Development Master Plan (CDMP) Land Use Plan Map as may be amended from time to time, (c) within a

designated coastal wetland or jurisdictional freshwater wetland as defined in Chapter 24 of this Code, or d) within a wellfield protection area established pursuant to Chapter 24 of the Code.

- (5) The fill project shall be located entirely on a parcel of land (a) within an IU (Industrial) zoning district, or (b) within a GU (Interim) zoning district and designated industrial and office on the CDMP Land Use Plan Map.
- (6) No portion of the requested fill project shall be located within a 1/2 mile radius of (a) the nearest property line of any parcel of land with a lawfully existing dwelling unit, except watchman's quarters, or (b) any RU, EU or AU zoned property or property designated for Residential Communities in the CDMP and on the CDMP Land Use Plan Map. Such distance shall be measured from the closest point of the proposed filling activity to the nearest RU, EU or AU district boundary line and to the nearest property line of any parcel of land with a lawfully existing non-conforming dwelling unit in any other zoning district. For purposes of establishing such distances, the applicant for such filling approval shall furnish a certified survey from a registered surveyor, which shall indicate such 1/2-mile distance. Notwithstanding the provisions of this paragraph, a fill project proposed for less than six (6) months and no more than five (5) gross acres waterward of the top of slope shall not be subject to such distance requirements.
- (7) The application shall provide that any remaining slopes not requested to be modified shall be in accordance with previously approved excavation plans or in accordance with the sloping requirements pursuant to Section 33-16(a)(6)(m) of this Code.
- (8) The fill project shall be so designed and operated so as not to create noise, vibration, dust and traffic impacts beyond that which might be otherwise expected of an allowable industrial use in an IU zoning district.
- (9) The application shall contain an off-site traffic route plan. The off-site truck route immediately abutting the fill project shall only utilize section line roads or major access roads, including major roadways (three or more lanes) and frontage roadways serving limited access expressways, providing such roadways do not abut residentially zoned or CDMP Land Use Plan Map designated park or residential areas.

- (10) The fill project shall not contravene an express prohibition contained in a prior zoning resolution.
- (11) The fill project is so designed as not to create a material risk of groundwater contamination or other adverse environmental impact, nuisance, water pollution, or ground pollution as defined in Chapter 24 of the Code.
- (12) If lake excavation or rock pit is proposed to be filled in phases, a phase plan shall be submitted with the initial excavation fill plan and permit application. The plan and supporting documents shall delineate the area to be filled in each phase and the time frame projected to close out each phase of the fill project.

No application shall seek to fill and no administrative approval shall be granted to fill a lake excavation or rock pit utilized as part of a storm-water management plan established by a zoning resolution, plat or restrictive covenant.

PERMIT REQUIREMENT: Please note that once the Administrative Site Plan Review is approved, you must apply for a permit and fulfill the bond requirements prior to commencing excavation or fill. Please contact the Legal Advisor's Office on the 11th floor of the Stephen P. Clark Center for the application forms and for further information. (305-375-3075)

**APPLICATION FOR ADMINISTRATIVE SITE PLAN REVIEW
FOR LAKE EXCAVATION OR LAKE FILL**

S_____T_____R_____

FOLIO NUMBER: _____

Process #A _____

Review Fee \$ _____

Invoice # _____

Stamped Received

1. TYPE OF DEVELOPMENT: ☐ LAKE EXCAVATION ☐ LAKE FILL
2. APPLICANT'S NAME: _____
ADDRESS: _____,
(CITY) _____ (STATE) _____ (ZIP) _____
PHONE: _____ FAX: _____
3. PROPERTY OWNER'S NAME: _____
ADDRESS: _____
(CITY) _____ (STATE) _____ (ZIP) _____
PHONE: _____ FAX: _____
4. CONTACT PERSON NAME: _____
ADDRESS: _____
(CITY) _____ (STATE) _____ (ZIP) _____
PHONE: _____ FAX: _____
5. ACREAGE OF PROPOSED LAKE EXCAVATION OR FILL: (WATER SURFACE AREA)

(PLEASE NOTE: LAKE FILL MAY NOT EXCEED 40 ACRES)
6. ZONING ON PROPERTY: _____
7. ADDRESS OR LOCATION OF PROPERTY: _____

8. LEGAL DESCRIPTION OF PROPERTY: _____

9. LAKE HISTORY: (provide for Lake Fill Applications)

Was the Lake approved through Public Hearing? ☐ YES ☐ NO

or was it a Rock Pit? ☐ YES ☐ NO

10. If the lake was approved through Public Hearing, provide the Resolution No.
_____ and Hearing Date: _____

(Note: If a Declaration of Restrictions exists for the lake, it cannot be approved through this process).

11. PLAN INFORMATION:

NAME OF PLAN _____

NO. OF SHEETS _____

PREPARED BY _____

DATE OF PLAN _____

12. SURVEY NAME AND DATE: _____

DEPARTMENTAL RECORD

DATE PLAN RECEIVED: _____ DATE FEE RECEIVED _____

DISPOSITION: RECEIVED APPROVED DENIED DATE _____

ZONING PLANS PROCESSOR: _____

ZONING EVALUATOR: _____

ZONING CONTROL DIVISION CHIEF: _____

**FEE SCHEDULE
ADMINISTRATIVE SITE PLAN REVIEW FOR
LAKE EXCAVATIONS AND LAKE FILLS**

Z800	Basic Fee	\$855.00
Z801	Size of Property (\$239.40 per 10 acres or portion thereof of water surface area)	_____
Z109	DERM	220.00
Revisions:		
	First revision	no charge
Z510	Subsequent Revisions \$570 (per revised plan)	_____
TOTAL		_____

NOTE: THE 8% Surcharge will be added to all fees except the DERM fee and will be in effect from 10/1/03 through 9/30/06.